


# Memorandum



**Date:** October 2, 2007

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Burges  
County Manager 

**Subject:** Ratification of Acceptance and Execution of Agreement  
with the Federal Aviation Administration (FAA) for  
Grant amounting to \$8,000,000 – AIP No. 3-12-0049-054-2007

Agenda Item No. 14(A)(3)

## RECOMMENDATION

It is recommended that the Board adopt the attached resolution ratifying the acceptance and execution, pursuant to provisions of the Aviation Department's Expedite Ordinance No. 95-64 codified as Section 2-285(6) of the Miami-Dade County Code, of the most recent grant offer and associated grant agreement from the Federal Aviation Administration (FAA) in regard to AIP Number 3-12-0049-054-2007 in the amount of \$8,000,000, relating to the new Northside Runway Project at Miami International Airport (MIA). This grant offer and agreement represents the eighth installment from the FAA of an anticipated ten grant installments for the new runway pursuant to the FAA's previously approved Letter of Intent (LOI) with Miami-Dade County.

## SCOPE

This project associated with this AIP is located within District Six. However, the impact of this project is Countywide in nature as Miami International Airport is a regional asset.

## FISCAL IMPACT

This Airport Improvement Program (AIP) Grant represents an additional \$8,000,000 in FAA funding for the subject project.

## PROJECT MONITOR

The grant monitor is Sunil Harman, Manager, Planning, Miami-Dade Aviation Department (MDAD).

## BACKGROUND

On April 3, 2000, MDAD submitted its application for federal assistance for the construction of the new Northside Runway at MIA. Thereafter, the FAA issued an LOI under which the FAA indicated its intent to provide grants to the County in a maximum amount of \$101,040,000 towards the cost of the runway project. Under the LOI, the FAA provides grant funds periodically through grant offers that are reflected in individual grant agreements.

The grant funds that are actually made available are from two sources: Discretionary Funds which, as the name suggests, are discretionary with the FAA; and Entitlement Funds, which MIA is entitled to as a matter of law.

On July 15, 2000, the Board, by Resolution No. R-783-00, authorized the acceptance of \$12 million as a first installment of the FAA's total commitment of \$101,040,000 under the LOI to help offset the cost of the construction of the new runway. On March 11, 2004, the LOI was amended to reflect an additional \$3 Million towards the project, bringing the total potential FAA participation in the runway project to \$104,040,000.

The following is the schedule of LOI Grant payments paid to date and to be paid in the future as they relate to the runway project:

**Received Installments #1 through #7**

<b><u>FY</u></b>	<b><u>Discretionary</u></b>	<b><u>Entitlement</u></b>	<b><u>Total</u></b>
2000	\$ 5,000,000	\$ 7,000,000	\$12,000,000
2001	3,000,000	7,000,000	10,000,000
2002	2,840,000	8,475,703	11,315,703
2003	4,000,000	7,000,000	11,000,000
2004	8,000,000	5,524,297	13,524,297
2005	8,000,000	0	8,000,000
2006	7,550,000	0	7,550,000
<b>Total:</b>	<b>\$38,390,000</b>	<b>\$35,000,000</b>	<b>\$73,390,000</b>

**To Be Received in Current Installment #8**

2007	\$ 8,000,000	\$ 0	\$ 8,000,000
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**To Be Received in Installments #9 through #10**

2008-2010	\$22,650,000	\$ 0	\$22,650,000
<b>Total LOI Amount:</b>	<b>\$69,040,000</b>	<b>\$35,000,000</b>	<b>\$104,040,000</b>

The Runway opened in September, 2003.

  
Assistant County Manager

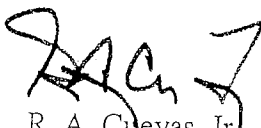


# MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

DATE: October 2, 2007

FROM:   
R. A. Cuevas, Jr.  
County Attorney

SUBJECT: Agenda Item No. 14(A)(3)

Please note any items checked.

✓

\_\_\_\_\_ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

\_\_\_\_\_ 6 weeks required between first reading and public hearing

\_\_\_\_\_ 4 weeks notification to municipal officials required prior to public hearing

\_\_\_\_\_ Decreases revenues or increases expenditures without balancing budget

\_\_\_\_\_ Budget required

\_\_\_\_\_ Statement of fiscal impact required

\_\_\_\_\_ Bid waiver requiring County Manager's written recommendation

\_\_\_\_\_ Ordinance creating a new board requires detailed County Manager's report for public hearing

\_\_\_\_\_ Housekeeping item (no policy decision required)

\_\_\_\_\_ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 14(A)(3)  
10-02-07

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION RATIFYING COUNTY MANAGER'S  
EXECUTION OF THE EIGHTH GRANT AGREEMENT  
BETWEEN THE COUNTY AND THE FEDERAL  
AVIATION ADMINISTRATION (FAA) FOR \$8,000,000 OF  
A TOTAL POTENTIAL FUNDING OF \$104,040,000  
PREVIOUSLY APPROVED BY THE FAA UNDER A  
LETTER OF INTENT TO PROVIDE GRANT FUNDS FOR  
CONSTRUCTION OF THE COMPLETED NORTHSIDE  
RUNWAY AT MIAMI INTERNATIONAL AIRPORT**

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum and document, copies of which are incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board ratifies, confirms, and approves the County Manager's execution of the eighth grant agreement between the County and the Federal Aviation Administration (FAA) in the amount of eight million dollars (\$8,000,000), such amount being a portion of the total grant of one hundred four million forty thousand dollars (\$104,040,000) previously approved by the FAA under a Letter of Intent to provide such funds in installments to the County to be applied towards the cost of the completed Northside Runway project at Miami International Airport.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this  
2nd day of October, 2007. This resolution shall become effective ten (10) days after the  
date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only  
upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. *TPA*

Thomas P. Abbott



# GRANT AGREEMENT

U. S. Department  
of Transportation  
Federal Aviation  
Administration

Date of Offer: June 1, 2007

Project Number: 3-12-0049-054-2007

Recipient: Miami-Dade County Board of County Commissioners

Airport: Miami International Airport

## OFFER

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share, seventy-five percent (75%) of the allowable costs incurred in accomplishing the project consisting of the following:

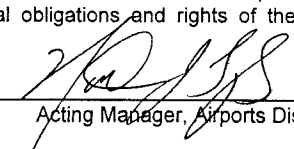
"8<sup>th</sup> Installment under LOI ASO 99-02 for Construction of Runway 8L/26R and Construction of Trac one Apron Drainage, Grading and Pavement Improvement"

as more particularly described in the Project Application dated March 12, 1998 and Letter of Intent Amendment dated March 29, 2006.

The maximum obligation of the United States payable under this Offer shall be \$8,000,000 for airport development.

This offer is made in accordance with and for the purpose of carrying out the provisions of Title 49, United States Code, herein called Title 49 U.S.C. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 U.S.C., constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION

  
Acting Manager, Airports District Office

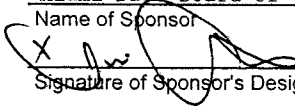
## ACCEPTANCE

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated March 29, 2005.

Executed this 12<sup>th</sup> day of July, 2007

Miami-Dade Board of County Commissioners

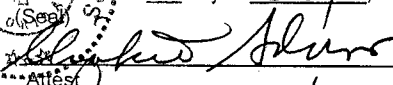
Name of Sponsor

  
Signature of Sponsor's Designated Official Representative

Aviation Director

Title

Attest

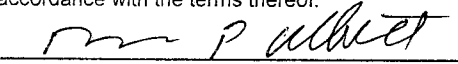
  
Deputy Clerk

Title

## CERTIFICATE OF SPONSOR'S ATTORNEY

I, THOMAS P. ABBOTT, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and Title 49 U.S.C. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

  
Signature of Sponsor's Attorney

7/12/07  
Date